

Weed Control Permit Clarifications

Several activities on the Weed Control Permit have occurred recently and continue to occur. Thus, some clarifications are necessary.

Order 2004-0009-DWQ

Order 2004-0009-DWQ remains in effect until November 30, 2013. Dischargers currently enrolled under the order remain covered until November 30, 2013. To get coverage under the new order starting December 1, 2013, dischargers must enroll in it.

As stated in staff's April 11, 2013 email to the "Pesticide Aquatic Weed" Lyrus List (http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml#quality), staff is proposing that the State Water Board amend Order 2004-0009-DWQ to add imazamox-based aquatic herbicide applications to be covered by the permit. For more information on the amendment, please click on the links for "Draft Amendment to Order 2004-0009-DWQ, March 28, 2013 (posted 4/11/13)" and "Notice for June 4, 2013 Meeting (posted 4/11/13)" at this "Pesticide Permits" website.

Order 2013-XXXX-DWQ

On March 5, 2013, the State Water Board reissued the Weed Control Permit. The unofficial, unsigned, and unnumbered version of the order and related agenda materials are posted on "Pesticide Permits" website. State Water Board staff will inform you via this Lyrus List when an official, signed, and numbered copy of the new order becomes available.

Although the new order will not become effective until December 1, 2013, dischargers that desire to be covered by it are encouraged to submit their applications now. To apply for coverage under the new order, submit Items 1-3 to the address shown in Item 4 below:

1. A Notice of Intent shown as Attachment E of the new order, signed in accordance with the signatory requirements of the Standard Provisions in Attachment B;
2. An application fee of \$1943.26. A fee is required only for new dischargers. Dischargers currently enrolled under Order 2004-0009-DWQ and are applying for coverage under the new order will be billed during the regular billing cycle;
3. An Aquatic Pesticide Application Plan (APAP). Dischargers that are enrolled in Order 2004-0009-DWQ may not have to submit a new APAP, but will have to amend their existing APAP to comply with requirements of the new order. See Section VIII.C, page 9, of the new order for details; and
4. Mailing Address:

NPDES Wastewater Unit, Room 15-35A
State Water Resources Control Board
1001 I Street, 15th Floor
Sacramento, CA 95814

Exception to Acrolein and Copper Receiving Water Limitations

The new order will allow exception to receiving water limitations for acrolein and copper similar to the exception allowed in Order 2004-0009-DWQ. As in Order 2004-0009-DWQ, it is the discharger's prerogative to apply for the exception; however, an application for an exception is not a requirement to get enrolled under the new order.

Dischargers that currently have exceptions will continue to have the exception under the new order unless their project conditions have changed. If so, they will have to submit an amendment to their exception application to reflect current conditions or planned changes in the project. Dischargers currently enrolled in Order 2004-0009-DWQ, but do not have an exception, or new dischargers that want to get an exception and meet the criteria set forth in Section 5.3 of the State Water Board Policy for Implementation

of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California (http://www.waterboards.ca.gov/water_issues/programs/state_implementation_policy/) must submit the following information to the address shown in Item 4 above:

1. A detailed description of the proposed action, including the proposed method of completing the action;
2. A time schedule;
3. A discharge and receiving water quality monitoring plan (before project initiation, during the project, and after project completion, with the appropriate quality assurance and quality control procedures);
4. Documentation of compliance with the California Environmental Quality Act;
5. Contingency plans;
6. Identification of alternate water supply (if needed); and
7. Residual waste disposal plans.

Upon completion of the project, the discharger shall provide certification by a qualified biologist that the receiving water beneficial uses have been restored.